## PRELIMINARY DRAFT No. 3277

## PREPARED BY LEGISLATIVE SERVICES AGENCY 2008 GENERAL ASSEMBLY

## **DIGEST**

**Citations Affected:** IC 16-21-2-16; IC 16-25-3-11; IC 16-27-1-17; IC 16-28-2-10; IC 25-1-9-19; IC 27-8-22.1; IC 27-13-41-3.

**Synopsis:** Health claim statement requirements. Specifies certain requirements to be met by a health care provider, an accident and sickness insurer, and a health maintenance organization in any statement related to a claim for health care services.

Effective: July 1, 2008.



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A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1	SECTION 1. IC 16-21-2-16, AS AMENDED BY P.L.96-2005,
2	SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3	JULY 1, 2008]: Sec. 16. (a) A hospital, an ambulatory outpatient
4	surgical center, an abortion clinic, or a birthing center that provides to
5	a patient notice concerning a third party billing for a service provided
6	to the patient shall ensure that the notice:
7	(1) conspicuously states that the notice is not a bill;
8	(2) does not include a tear-off portion; and
9	(3) is not accompanied by a return mailing envelope.
10	(b) A hospital, an ambulatory outpatient surgical center, an
11	abortion clinic, or a birthing center shall include the following in
12	any statement related to a claim for a health care service provided
13	to a patient:
14	(1) The date the health care service was provided.
15	(2) A written description of the health care service.
16	(3) The amount charged and any amount paid for the health
17	care service.
18	SECTION 2. IC 16-25-3-11 IS AMENDED TO READ AS
19	FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 11. (a) A hospice that
20	provides to a hospice program patient notice concerning a third party
21	billing for a hospice service provided to the hospice program patient
22	shall ensure that the notice:
23	(1) conspicuously states that the notice is not a bill;
24	(2) does not include a tear-off portion; and
25	(3) is not accompanied by a return mailing envelope.
26	(b) A hospice shall include the following in any statement
27	related to a claim for a health care service provided to a patient:
28	(1) The date the health care service was provided.

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(3) The amount charged and any amount paid for the health

(2) A written description of the health care service.

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care service.



1	SECTION 3. IC 16-27-1-17 IS AMENDED TO READ AS
2	FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 17. (a) A home health
3	agency that provides to a patient notice concerning a third party billing
4	for a home health service provided to the patient shall ensure that the
5	notice:
6	(1) conspicuously states that the notice is not a bill;
7	(2) does not include a tear-off portion; and
8	(3) is not accompanied by a return mailing envelope.
9	(b) A home health agency shall include the following in any
10	statement related to a claim for a health care service provided to
11	a patient:
12	(1) The date the health care service was provided.
13	(2) A written description of the health care service.
14	(3) The amount charged and any amount paid for the health
15	care service.
16	SECTION 4. IC 16-28-2-10 IS AMENDED TO READ AS
17	FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 10. (a) A health facility
18	that provides to a patient notice concerning a third party billing for a
19	service provided to the patient shall ensure that the notice:
20	(1) conspicuously states that the notice is not a bill;
21	(2) does not include a tear-off portion; and
22	(3) is not accompanied by a return mailing envelope.
23	(b) A health facility shall include the following in any statement
24	related to a claim for a health care service provided to a patient:
25	(1) The date the health care service was provided.
26	(2) A written description of the health care service.
27	(3) The amount charged and any amount paid for the health
28	care service.
29	SECTION 5. IC 25-1-9-19 IS AMENDED TO READ AS
30	FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 19. (a) A practitioner
31	that provides to a patient notice concerning a third party billing for a
32	health care service provided to the patient shall ensure that the notice:
33	(1) conspicuously states that the notice is not a bill;
34	(2) does not include a tear-off portion; and
35	(3) is not accompanied by a return mailing envelope.
36	(b) A practitioner shall include the following in any statement
37	related to a claim for a health care service provided to a patient:
38	(1) The date the health care service was provided.
39	(2) A written description of the health care service.
40	(3) The amount charged and any amount paid for the health
41	care service.
42	SECTION 6. IC 27-8-22.1-1 IS AMENDED TO READ AS
43	FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1. (a) Except as
44	provided in subsection (b), as used in this chapter, "accident and
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sickness insurance policy" means an insurance policy that provides at least one (1) of the types of insurance described in IC 27-1-5-1, Classes

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1(b), 2(a), 2(b), 2(e), 2(f), and 2(h).

(b) As used in section 6 of this chapter, "accident and sickness insurance policy" means an insurance policy that provides at least one (1) of the types of insurance described in Class 1(b) or Class 2(a) of IC 27-1-5-1.

SECTION 7. IC 27-8-22.1-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 6. An insurer that issues an accident and sickness insurance policy shall include the following in any statement related to a claim for a health care service provided to an insured:

- (1) The date the health care service was provided.
- (2) A written description of the health care service.
- (3) The amount charged and any amount paid for the health care service.

SECTION 8. IC 27-13-41-3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3. A health maintenance organization and a limited service health maintenance organization shall include the following in any statement related to a claim for a health care service provided to an enrollee:

- (1) The date the health care service was provided.
- (2) A written description of the health care service.
- (3) The amount charged and any amount paid for the health care service.

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